

\$~1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 753/2018**

ANIRUDDH MISHRA & ORS

..... Petitioners

Through: Mr. Anil Kumar Pruthi, Advocate.

versus

NCT OF DELHI & ANR

..... Respondents

Through: Mr. Arun Kumar Sharma, APP for the State.

Mr. Yudhishter Sharma with Mr. Keshav Parashar, Advocates for respondent No.2 with R-2 in person. ASI Laxmi, PS CWC Nanak Pura.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

%

08.03.2018

Crl.M.A.2722/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 753/2018

1. The petitioners seek quashing of FIR No.89/2015 under Sections 498A/406/34 IPC, Police Station CW Cell Nanak Pura.

2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2. Petitioner Nos.2 and 3 are the parents of the petitioner No.1. Petitioner No.4 is the brother of the petitioner No.1. Petitioner No.5 is the sister of the

petitioner No.1.

3. Learned counsel for the petitioner submits that the petitioner No.5, who is the married sister of the petitioner No.1, could not appear today. Petitioner No.5 is granted exemption from personal appearance.

4. Learned counsel for the petitioners submits that the parties have settled their disputes and have entered into a Settlement/Compromise Deed dated 20.09.2017. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 06.09.2017.

5. The respondent No.2 was to be paid a total sum of Rs.6,50,000/- in full and final settlement of all her claims. A sum of Rs.4,00,000/- has already been paid. The balance sum of Rs.2,50,000/- has been paid to the respondent No.2 by way of a Pay Order No.030581 dated 12.02.2018 drawn on Axis Bank, in court.

6. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

7. In view of the fact that the proceedings emanate out of a matrimonial discord and the parties have fully and finally settled their disputes and the respondent No.2 has stated that she does not wish to press the complaint any further and the fact that the parties have

already been divorced by way of a decree of divorce by mutual consent, passed on 06.09.2017, and in the interest of justice, it would be expedient to quash the subject FIR and the consequent proceedings emanating there from.

8. In view of the above, FIR No.89/2015 under Sections 498A/406/34 IPC, Police Station Crime (Women) Cell Nanak Pura and the consequent proceedings emanating there from are quashed.

9. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

MARCH 08, 2018
st